

Ozone Early Action Compacts-- A Voluntary, Community- Based Program

Capital Area
Council of Governments

URS



Who are we?

- David Cole, US EPA
- William Gill, Capital Area Council of Governments (CAPCOG)
- Cathy Stephens, Capital Area Metropolitan Planning Organization (CAMPO)
- David Balfour, URS Corporation

What are we covering today?

- What are Early Action Compacts (EACs) for Ozone?
- How is Central TX meeting the EAC?
- What issues are EAC areas facing & how is Austin addressing them?
- What lessons have we learned?

Overview of Ozone Early Action Compacts

- Why is ground-level ozone bad?
- What is an EAC & why participate?
- What are EAC milestones?
- Why legal concerns?

Overview: Why is ground-level ozone bad?

- EAC addresses ozone concerns
- High ozone levels can--
 - Irritate throat and lungs
 - Reduce lung capacity
 - Aggravate asthma and other respiratory illnesses

Why is ground-level ozone bad?

(continued)

➤ At-risk groups include--

- Children
- The elderly
- Those who work or exercise outdoors

What are EACs?

- Voluntary agreements
- Innovative approach to cleaner air
- Commitment to early reductions / early implementation

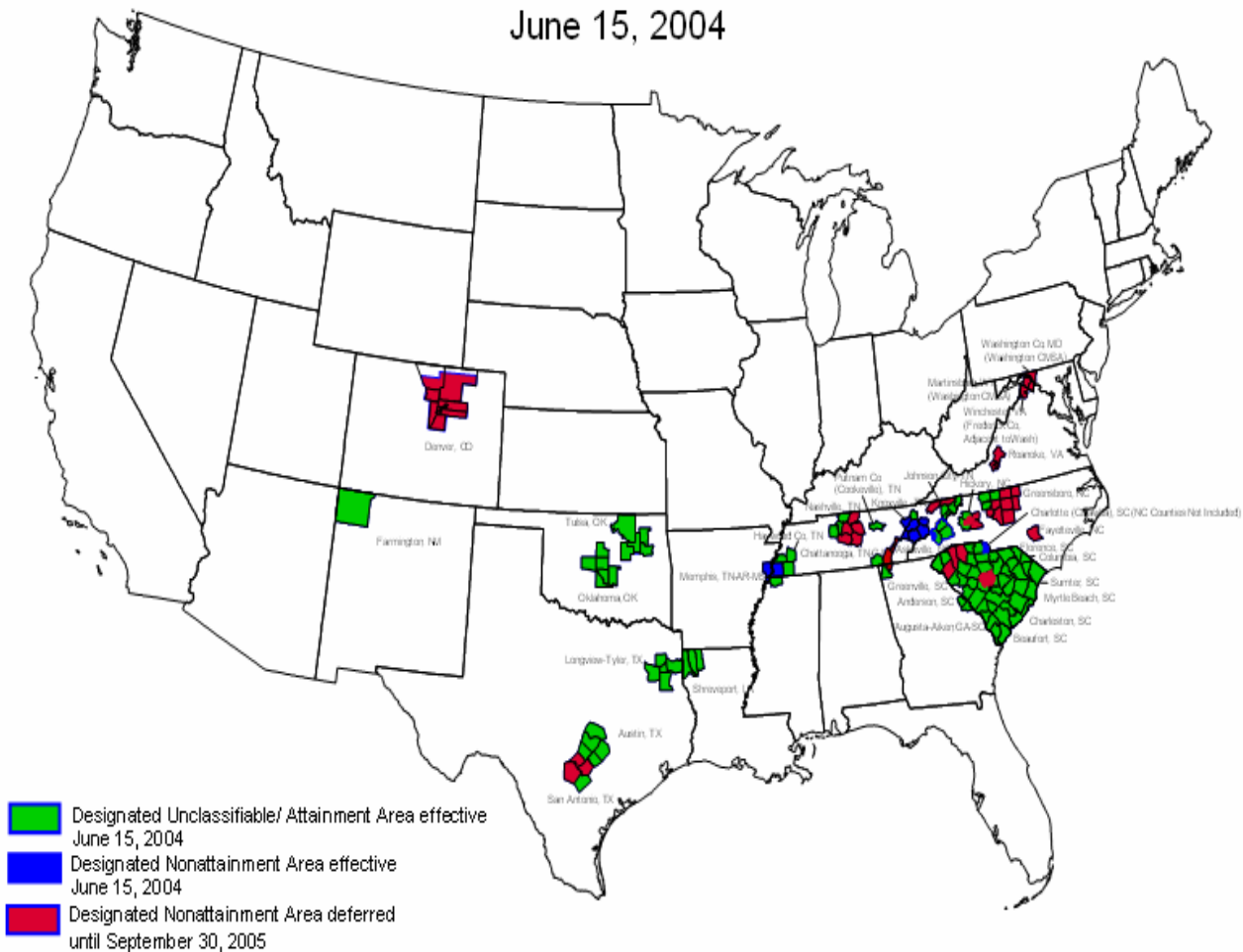
Why participate?

- “Cleaner air sooner”
- Local involvement, local choice
- Federal requirements do not apply if all compact terms are met
- Good PR for the community
- It's INNOVATIVE



Early Action Compact Areas

June 15, 2004



A portion of some of the counties are excluded from the EAC

Who is participating?

- Upper Savannah (Abbeville-Greenwood area), SC
- Mountain Area of NC
- Lower Savannah-Augusta (Augusta-Aiken), GA-SC
- Austin-San Marcos area, TX
- Low Country (Beaufort area), SC
- Berkeley-Charleston-Dorchester (Charleston area), SC
- Chattanooga area, TN
- Central Midlands (Columbia area), SC
- Denver area, CO
- Fayetteville area, NC
- Pee Dee (Florence area), SC
- Triad (Greensboro-Winston Salem-High Point), NC
- Appalachian (Greenville-Spartanburg-Anderson), SC
- Unifour (Hickory-Morganton-Lenoir), NC
- Tri Cities (Johnson City-Kingsport-Bristol area), TN
- Northeast TX area (Longview-Marshall-Tyler area), TX
- Eastern Pan Handle Region (Martinsburg area), WV
- Waccamaw (Myrtle Beach area), SC
- Nashville area, TN
- Oklahoma City area, OK
- Roanoke area, VA
- San Antonio area, TX
- San Juan County, NM (Farmington area)
- Shreveport-Bossier City area, LA
- Santee Lynches (Sumter area), SC
- Tulsa area, OK
- Washington County (west of DC area), MD
- Northern Shenandoah Valley Region (Winchester), VA
- Catawba, (part of Charlotte-Gastonia-Rock Hill MSA), SC

What are the 7 milestones?



- 12/02 - Agreements signed
- 6/03 - Draft measures identified
- 3/04 - Local air quality plan submitted to State
- 12/04 - States submitted air quality plans to EPA for approval

What are the 7 milestones?

(cont'd)



- 2006 Ozone Season - Control measures implemented
- 6/06 - Progress assessment due
- 12/07 – Areas comply with ozone standard

Why legal concerns?



- Statute does not allow deferred designation of nonattainment
- Compact terms negotiated with major environmental groups
- Litigation stayed

What's next?

- 11/06 – EPA approves next deferred nonattainment designation
- Continued deferral if measures done & making progress
- 12/07 – Local areas meet ozone standard
- 4/08 – EPA designates deferred areas attainment or nonattainment

Central Texas Early Action Compact

Austin EAC Outline

- Challenges faced by the Austin region in dealing with the national eight-hour ozone air quality standard
- Ozone data – near nonattainment
- Proactive approaches developed by local officials
- Stakeholder approach to elicit emission reduction commitments from the various emission categories

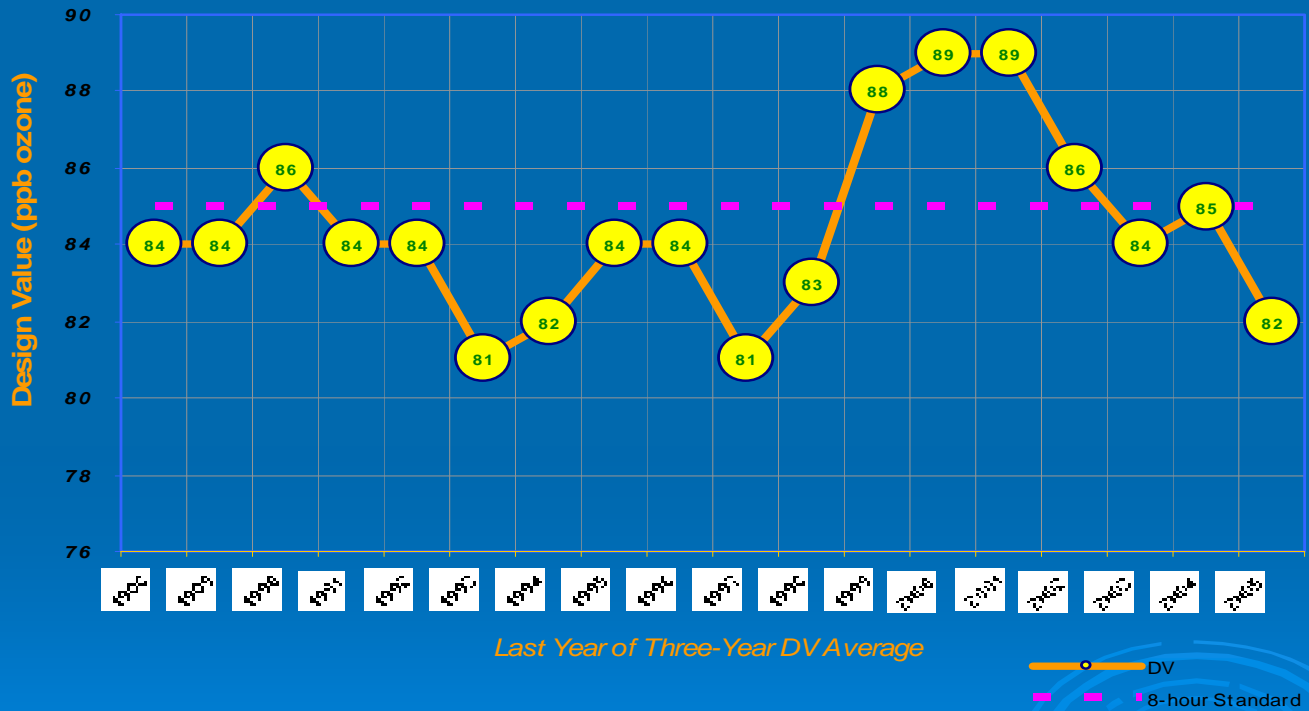
Austin EAC Outline

- Voluntary measures, Clean Air Partners Program
- State assisted measures
- Continue the planning efforts
 - EAC progress report
 - Air quality monitoring and photochemical modeling

Challenges Faced by Austin Area

- Significant amount of ozone at monitors is transported into the area – from major point sources and nonattainment areas
- Area monitors have measured ozone just slightly above and in some years below the standard
- Population growth in the area continues to add more local emissions

Austin-Round Rock MSA 8-Hour Ozone Design Value Trend



Economic Effects

- Nonattainment may result in:
 - Negative stigma that affects economic development
 - Emission control equipment that can increase costs to consumers
- Limits on business expansions
 - Delays in meeting transportation needs
 - Diversion of resources to meet compliance needs

Central Texas EAC

- **Applies to the Austin Round Rock MSA**
 - Bastrop, Caldwell, Hays, Travis and Williamson Counties
- **Signed Dec 2002 by 5 counties, 7 cities**
 - Austin, Bastrop, Elgin, Lockhart, Luling, Round Rock, San Marcos
- **Region of varied characteristics**
 - Urban, suburban and rural
 - Socioeconomic differences

EAC Goals and Challenges

- Ensure adequate safety margin against nonattainment
- Develop a reasonable CAAP that works for all jurisdictions, given varied circumstances
- Meet all EAC milestones

Regional AQ Planning Structure

- Clean Air Coalition (CAC)
 - Elected officials from the 5 counties, 7 cities
- EAC Task Force (EACTF)
 - Develop draft plans and agreements

Regional AQ Planning Structure

- CLEAN Air Force (CAF) non-profit
 - Public involvement, voluntary programs
- Capital Area Council of Governments (CAPCOG)
 - State grant funding for air quality planning and technical analysis

Public Involvement

- **4 stakeholder workgroups**
 - point, area, non-road, on-road
- **2 public opinion surveys**
 - 1 general, 1 measure specific

Public Involvement

- Outreach at events
- Public meetings
- Semiannual progress reports reviewed by elected officials and available to public for comment

EAC Clean Air Plan Components

- Policy statements
- Technical analysis
- Public & stakeholder involvement

EAC Clean Air Plan Components

- Emission reduction measures
- Maintenance for growth
- Continuing planning process
- Tracking and reporting

Emission Reduction Measures

- Developed through fair share approach
- State assisted measures
 - Most will apply MSA-wide
 - 2 county inspection & maintenance program
 - Product of stakeholder work groups

Emission Reduction Measures

- Local measures (no state action needed)
 - Select from menu of options, provides choice
 - Reductions proportionate to contribution
 - O3 Flex and new EAC measures

Why State Assisted Measures?

- Counties have limited legal authority to adopt air quality regulations
- Cities have legal authority, but there may be preemption issues

Why State Assisted Measures?

- TCEQ is the only entity that can provide uniform regulatory coverage
- Patchwork regulatory application would be confusing, create inequities and influence growth patterns

Austin Area State Assisted Measures

STATE ASSISTED MEASURES

- Vehicle Emission Inspection & Maintenance
- Locally Enforced Idling Restrictions
- Stage 1 Vapor Recovery
- Degreasing Requirements
- Cut-back Asphalt Restrictions
- Low Emission Gas Cans
- *Texas Emission Reduction Program (TERP) Grants
- *Local Power Plant Reductions

*State-assisted measures not requiring new state rules for implementation

Local Commitments Tracking and Reporting

- Tree Planting
- Ozone Action Day Response program
- Cleaner Diesel for Fleets
- Fleet Vehicle Maintenance
- Resource conservation
- e-Government and Multiple locations
- Low Emission Vehicles
- Fleet Usage Efficiency Evaluation

Voluntary Measures

- Commute Solution programs
- Clean Air Partners
 - Reduce employee commute
 - Exercise green choice option
 - Implement energy conservation measures
- Clean School Bus Program
- Electric Lawnmower Rebate Program

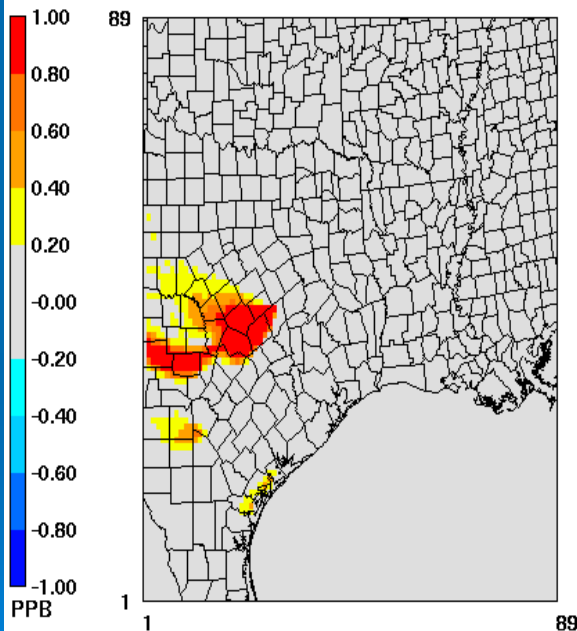
Continuing Planning Process

- Annual analysis of air quality data and modeling update, if necessary
- Evaluation of future transportation plans, new point sources and other potential new source growth
- Determine if selected control measures still adequate to achieve attainment

Ozone Impacts Modeling New Power Plants

Difference in Daily Maximum 8-hr Average Ozone

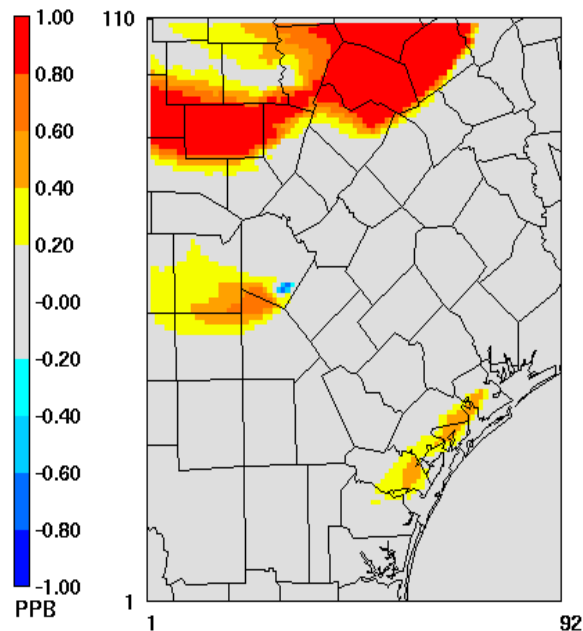
All Power Plants - 2007 Future Case
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September 15, 1999 0:00:00
Min=-0.13 at (14,27), Max=3.66 at (26,42)

Difference in Daily Maximum 8-hr Average Ozone

All Power Plants - 2007 Future Case
a=fine2.070915.03.eight, b=fine2.070915.03.eight



September 15, 1999 0:00:00
Min=-0.69 at (31,59), Max=3.98 at (67,107)

Common EAC Issues

A panel discussion...

What issues do EAC areas have in common?

- Planning
- Implementation of measures
- Measuring success
- Litigation concerns—14 areas

Planning Issues

- How have you been able to keep the community engaged this long?
- How did you get stakeholders involved?
- In selecting measures for AQ improvement...
 - How did you select them?
 - How were able to build consensus?
 - Were there any obstacles?

Implementation Issues

- How did you transition from planning to implementation?
- Were there any obstacles?
- Have any changes in local leaders affected the EAC process?

Measuring Success

- Have you identified ways to verify that you will accomplish what you hope to achieve?
- To what extent have public attitudes & behaviors changed so far?

Legal Concerns

- Has the potential for legal action from environmental groups or others had an impact on your ability to continue your EAC?

“Lessons Learned”

- Keep focused on goals and objectives
- Accept incremental progress
- Be aware of changes in leadership at all levels

“Lessons Learned”

- Staff involvement can be critical to success
- Involve all significant stakeholders
- Stakeholder benefits are key

**For more information, go to
EPA & Austin websites at:**

www.epa.gov/ttn/naaqs/ozone/eac

www.ci.austin.tx.us/airquality/eacompact_2002.htm

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